

June 9, 2003

Attn: Commission's Docket Office  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

RE: Docket # I.00-11-001, Order Instituting Investigation Into Implementation of  
Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution  
Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the  
Reliability of Electric Supply

Dear Clerk:

Enclosed for filing please find an original and five copies of the California Independent System  
Operator's Prehearing Conference Statement in Docket # I.00-11-001. Please date stamp one  
copy and return to California ISO in the self-addressed stamped envelope provided.

Thank you.

Sincerely,

Jeanne M. Solé  
Regulatory Counsel

Cc: Attached Service List

**PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation into )  
implementation of Assembly Bill 970 regarding ) I.00-11-001  
the identification of electric transmission and )  
distribution constraints, actions to resolve those )  
constraints, and related matters affecting the )  
reliability of electric supply. )  

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**THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR'S PREHEARING  
CONFERENCE STATEMENT**

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Dated: June 9, 2003

**PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation into )  
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\_\_\_\_\_ )

I.00-11-001

**THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR’S PREHEARING  
CONFERENCE STATEMENT**

In accordance with the June 2, 2003 Administrative Law Judge’s Ruling Modifying Phase 6 Evidentiary Hearings and Providing Notice of Further Prehearing Conference (“June 2 Ruling”), the California Independent System Operator (“CA ISO”) respectfully submits its Prehearing Conference Statement. The June 2 Ruling sets forth a number of important transmission planning related issues and provides that there will be a prehearing conference (“PHC”)/technical workshops on June 12 and 13, 2003 to address these issues. The CA ISO will attend the PHC/workshops and hopes to coordinate with the Investor Owned Utilities (“IOUs”) and the California Energy Commission (“CEC”) to present information on the status of the various issues. The CA ISO strongly supports a consideration of transmission needs that is comprehensive and forward looking. The CA ISO is concerned however to the extent that the June 2 Ruling signals the possibility of further evidentiary hearings regarding transmission planning issues in this docket, since these would be duplicative of several proceedings and processes already underway, and inconsistent with the approach towards transmission planning that is laid out in the Energy Action Plan recently adopted by the Consumer Power and Conservation Financing Authority (“CPA”), the CEC and the California Public Utilities Commission (“CPUC”). Moreover, such hearings would be duplicative of the work underway in the CPUC’s own procurement proceeding, R01-10-024.

Since the initiation of this proceeding, the CA ISO has stressed the importance of coordination between the CPUC and the CA ISO to avoid a duplication of efforts and has invited the CPUC to participate in its planning processes. In particular, the CA ISO has expressed

concern about evidentiary hearings in this proceeding that duplicate the planning work underway before the CA ISO. See e.g. Prehearing Conference Statement of the California Independent System Operator dated March 8, 2001. As the CA ISO noted early on, the CPUC opened this proceeding in part based on Public Utilities Code Section 379.5 which required the CPUC to undertake a prompt review of transmission constraints in consultation with the CA ISO to be completed on or before March 7, 2001. Public Utilities Code Section 379.5. As the CA ISO noted in March 2001, evidentiary hearings are not an efficient procedure for consultation; moreover, it is now more than two years beyond March 7, 2001. Evidentiary hearings before the CPUC on broad transmission planning issues remain duplicative of the annual planning work undertaken by the CA ISO.

Further, since this proceeding was commenced, the Legislature has enacted additional laws, including Public Resources Code Section 25309 requiring the CEC to prepare for the Governor and the Legislature “a comprehensive report designed to identify emerging trends related to energy supply, demand, and conservation and public health and safety factors and to provide the basis for state policy and actions in relation thereto.” This report has come to be known as the Integrated Energy Policy Report (“IERP”) and the proceedings to prepare it are underway in CEC docket No. 02-IER-01. The report is scheduled to be completed in October 2003.

Recognizing the need for coordination among state agencies with energy responsibilities in order to ensure the implementation of sound energy policies and to minimize the duplication of efforts, the CPUC, CPA and CEC recently adopted a forward thinking Energy Action Plan that provides for better coordination as to many issues, including the expansion of the electricity transmission infrastructure. As to transmission expansion, the Energy Action Plan provides that the CPUC, CPA and the CEC “will collaborate, in partnership with other state, local, and non-governmental agencies with energy responsibilities, in the California Energy Commission’s integrated energy planning process to determine the statewide need for particular bulk transmission projects. This collaboration will build upon the California Independent System

Operator's annual transmission plan and evaluate transmission, generation and demand side alternatives. It is intended to ensure that state objectives are evaluated and balanced in determining transmission investments that best meet the needs of California electricity users.”

The CA ISO supports the approach to transmission planning set forth in the Energy Action Plan because it provides for a coordinated process and minimizes the potential for duplications of effort. In fact, the Energy Action Plan goes on to recognize a further potential duplication of efforts in the context of applications for Certificates of Public Convenience and Necessity (“CPCN”) and provides that the CPUC will open a rulemaking to assess this question and explore using the outcomes of the CEC IERP process to determine the need for additional transmission facilities. In any event, additional evidentiary hearings at the CPUC in this proceeding about generic transmission expansion efforts would be duplicative of the IERP activities before the CEC and the CA ISO annual transmission expansion planning process, and are inconsistent with the provisions of the Energy Action Plan that wisely acknowledge the need for coordination to maximize efficiency and reduce the potential for a duplication of efforts.

Finally, the CA ISO notes that in the procurement proceeding, R.01-10-024, D. 02-10-062 directed the utilities to include transmission related issues in their long term procurement plans. D.02-10-062 at 29. Additional proceedings and evidentiary hearings in this docket are duplicative of the work underway in docket R.01-10-024 where transmission consideration can be assessed in the context of determining holistically, the appropriate long term plans by which the Investor Owned Utilities can meet the resource needs of their customers. Moreover, pending the outcome of the rulemaking provided for in the Energy Action Plan, the CPUC will continue to review key transmission planning determinations in its CPCN proceedings.<sup>1</sup>

In light of the above, the CA ISO recommends that this proceeding be closed at the completion of Phase 6 and the development of a renewables transmission plan. Given the numerous forums where transmission planning issues are already being addressed, the CPUC

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<sup>1</sup> The CA ISO continues to support due deference of its need determinations in CPCN proceedings.

should have ample opportunities to remain abreast of important transmission planning issues, without the need for further evidentiary hearings in this docket.

The June 2 Ruling expresses some concerns about “possible gaps in transmission-related proceedings and processes”. The CA ISO notes that the CA ISO annual planning process is open to all interested stakeholders and that the CA ISO has always welcomed in particular the participation of the CPUC. The CPUC is similarly always welcome in other forums in which transmission planning issues are being discussed and considered such as the Seems Steering Group – Western Interconnection – Planning Work Group (“SSG-WI-PWG”) and the Southwest Transmission Expansion Planning (“STEP”).

Despite the CA ISO’s ongoing concerns about the duplication of efforts, in the spirit of cooperation the CA ISO will participate in the PHC/workshops to try to lay out for the CPUC the status of various planning initiatives. In particular, the CA ISO will be prepared to give presentations regarding four topics: 1) a brief description of the CA ISO’s transmission expansion planning process; 2) the status of the SSG-WI-PWG work; 3) the status of the STEP work (which includes issues related to the Mexican generation problem); and 4) the study undertaken by the CA ISO based in part on information provided by PG&E regarding the system in San Francisco and the Peninsula. As stated upfront, the CA ISO strongly supports a comprehensive view of transmission planning where a long-term overall transmission strategy for the state provides the context for the need for individual projects.

In sum, the CA ISO will participate in the PHC/workshops scheduled for June 12 and 13 and will be prepared to make presentations on a number of topics. Nonetheless, the CA ISO urges the CPUC to work with the CA ISO and the CEC to seek to reduce the duplication of efforts as to transmission planning, as envisioned in the Energy Action Plan, at this critical time when the resources of all agencies are already very much stretched with a wide range of important tasks such as transmission planning, utility procurement, integrated energy planning, wholesale market design, and key retail ratemaking proceedings to name just a few. Consistent with that goal and in light of the numerous forums in which transmission planning issues are currently being addressed, the CA ISO considers that upon the conclusion of Phase 6 and the renewables plan this proceeding should be closed.

June 9, 2003

Respectfully Submitted:

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PROOF OF SERVICE

I hereby certify that on June 9, 2003, I served by electronic and U.S. mail, the California Independent System Operator's Prehearing Conference Statement in Docket # I.00-11-001.  
DATED at Folsom, California on June 9, 2003.

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